

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GLOCK, INC.

Plaintiff,

v.

**GLOBAL GUNS & HUNTING,
INC. d/b/a OMB GUNS and
JOHN RALPH, III,**

Defendants.

Case No. 1:12-CV-0136-AT

**GLOCK, INC.’S RESPONSE TO THE SEPTEMBER 12, 2016 ORDER
REGARDING THE AUGUST 8-10, 2017 DAMAGES HEARING**

COMES NOW Plaintiff Glock, Inc. (“Glock”) by and through counsel, and respectfully submits its response to the September 12, 2016 Order regarding the witnesses that it may call to testify during the damages hearing scheduled for August 8-10, 2017, and the exhibits that it may seek to introduce into evidence.

At present, Glock intends to call Carlos Guevara, Gary Fletcher, and Scott Allan as witnesses to testify during the damages hearing. If John Ralph, III (“Ralph”) is present during the hearing, Glock may also call him as a witness and/or cross-examine him. Glock will also call rebuttal witnesses to the extent necessary.

An index of the exhibits that Glock may seek to introduce into evidence during the damages hearing is attached hereto as Exhibit 1.

Dated: Atlanta, Georgia
September 21, 2016

Respectfully submitted,

By: /s/ Christopher E. Parker
Christopher E. Parker
Georgia Bar No. 562152
Michael P. Kohler.
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MILLER & MARTIN PLLC
1180 West Peachtree Street, N.W., Suite 2100
Atlanta, GA 30309

– and –

John F. Renzulli (*pro hac vice*)
Christopher Renzulli (*pro hac vice*)
Scott C. Allan (*pro hac vice*)
RENZULLI LAW FIRM, LLP
81 Main Street, Suite 508
White Plains, NY 10601
Telephone: (914) 285-0700
Facsimile: (914) 285-1213

Attorneys for Plaintiff Glock, Inc.

CERTIFICATE OF COMPLIANCE WITH LR 7.1(D)

I certify that the foregoing Response to the September 12, 2016 Order Regarding the August 8-10, 2017 Damages Hearing has been prepared using Times New Roman 14 point font, one of the approved font and point selections specified in LR 5.1(C), NDGa.

/s/ Christopher E. Parker

Christopher E. Parker

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Atlanta, GA 30309

Attorneys for Plaintiff Glock, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2016, I served Glock, Inc.'s Response to the September 12, 2016 Order Regarding the August 8-10, 2017 Damages Hearing by U.S. Mail, postage prepaid, addressed to:

Global Guns & Hunting, Inc. d/b/a OMB Guns
15765 S. Keeler Street
Olathe, KS 66062

– and –

John Sullivan Ralph
Register Number: 24538-031
FPC Yankton
Federal Prison Camp
P.O. Box 700
Yankton, SD 57078

/s/ Christopher E. Parker
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Attorneys for Plaintiff Glock, Inc.

GLOCK, INC.'S EXHIBIT LIST

Exhibit Number	Description	Bates Number(s)
1	March 31, 2011 email between Glock and Engage Armament	GI 4313-17
2	OMB Invoice and Firearm Sale Record to Engage Armament	GI 1-2
3	Glock's Invoices to OMB for the Pistols Resold to Engage Armament	GI 4-5
4	Photograph of Converted Pistols OMB Sold to Engage Armament	GI 4318
5	Glock's UPC Code Chart	GI 3802
6	Spreadsheet showing difference between LE and Commercial Prices	GI 14484 (printout from Excel spreadsheet)
7	OMB's LE Purchase Orders to Glock	GI 2599-3515
8	Glock invoices to OMB - converted LE pistols to commercial market	GI 4-21268 (selected pages)
9	OMB QuickBooks invoices and eBound records for converted LE pistols to commercial market	GI-OMB 1-5703
10	Summary of Converted LE Pistols	GI 21042-265
11	Summary of Converted Gen3 LE Pistols	GI 21277-517
12	Special Pricing Requests	4350-52, 4355-56, 4370-82, 4385-90, 4408-38, 4468-94, 4497-500, 4503-04, 4507-29, & 20651-65
13	OMB Purchase Orders to Glock for Special Price Pistols	GI 2600-4527 (selected pages), & GI 20666-91
14	Glock's invoices to OMB for Special Price Pistols	GI 9-2431 (selected pages)
15	OMB invoices to LE agencies for Specially Price Pistols	GI-OMB 5704-813
16	Special Pricing Analysis	GI 21269-73
17	Glock Sales Sample Forms 2008-2010	GI 19,566-68
18	OMB Sales Sample Purchase Orders and Glock Invoices – 2008	GI 2599, GI 6-8, GI 29-30, GI 41 GI 66, GI 79, GI 120, & GI 135
19	OMB Sales Sample Purchase Orders and Glock Invoices – 2009	GI 2863-64, GI 850-1276 (selected pages)
20	OMB Sales Sample Purchase Orders and Glock Invoices – 2010	GI 3215-16, GI 1539-1827 (selected pages)
21	Glock's Shipping Invoices to OMB for Promo Items	GI 20,692-765

22	Second Amended Judgment in Criminal Case	
23	Restitution Order in Criminal Case	
24	Josh Dorsey June 16, 2015 Restitution Affidavit	
25	Carlos Guevara July 7, 2015 Restitution Affidavit	
26	Master List and Earnings Records showing payments made to LD	GI 14498-503, GI 14505-08, & GI 14510-13
27	1099 Misc. Forms to LD and SS LLC	GI-LD 1-5, GI 14504, GI 14509, GI 14537, GI-SS 1, OMB 38, & GI-KBBB 2
28	Checks to LD	GI 14536, & GI 14538-64
29	Master List and Earnings Records showing payments to PW	GI 14498, GI 14500, GI 20576-79, GI 20582-85, GI 20587-90, & GI 20616-19
30	1099 Misc. Forms to PW and TM LLC	GI 20581, GI 20586, GI 20615, OMB 29, OMB 33, OMB 35, OMB 38, GI-PWTM 1, & GI-KB-BB 2
31	Checks to PW	GI 20591-614, & GI 20620-41
32	PW's Schedule C	GI-PWTM 171, GI-PWTM 179, GI-PWTM 187, GI-PWTM 195, GI-PWTM 204, GI-PWTM 213, & GI-PWTM 222
33	Wire transfers to Tropical	GI-PW-TM 28-109
34	Account Statements	GI-KB-BB 3-8
35	February 22, 2010 Email from Fletcher	GI 4330
36	October 27, 2009 Email from Dutton to OMB Attaching Glock's Confidential Stocking Dealer List	GI 20504-42
37	November 9, 2010 Email from Dutton to Ralph Attaching Glock's Confidential Stocking Dealer List	GI 20543-61
38	January 16, 2010 Email from Wood to Ralph re Competitors of OMB not Bidding on an LE Agency Bid	OMB 67486-87
39	BidNet Alerts	GI 19693-20139
40	February 2, 2009 sole source letter and email correspondence between Rob Walker and Craig Dutton	GI 3982-86

41	February 2, 2010 Letter from Douglas M. Kiesler	GI 4325-29
42	January 4, 2010 Email from Dutton to Ralph	OMB 67175
43	October 24, 2008 email from Ralph to Dutton	OMB 57654
44	2008-2010 Sales Sample Summary	GI 19693-95
45	QuickBooks (.qbb) and eBound (.mdb) data produced by OMB in response to Judge Shoob's May 24, 2012 Order	
46	Legal invoices from Renzulli Law Firm, LLP regarding investigation into allegations that defendants had been paying bribes to Craig Dutton and Bo Wood	
47	Legal invoices from Renzulli Law Firm, LLP through July 31, 2017	
48	Legal invoices from Miller & Martin, PLLC through July 31, 2017	
49	Legal invoices from Renzulli Law Firm, LLP from August 2017 through final conclusion of this case, including any appeal	
50	Legal invoices from Miller & Martin, PLLC from August 2017 through final conclusion of this case, including any appeal	